

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF AUGUST 27, 2002.

ATTENDANCE

COUNCIL: Louis C. Benjamin, Jr. (Chair - District 4), Jerry Trumps (Vice Chair - District 6), Bobby Badeaux (District 1), Robert Castille (District 2), Chris Williams (District 3), Lenwood Broussard (District 5), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk of the Council) and Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: Walter S. Comeaux, Jr. (City-Parish President), Glenn Weber (CAO), Becky LaLumia (Associate CAO/Finance Management), Benny Soulier (Director of Administrative Services), Chief Ronald Boudreaux (Police Department), Chief Robert Benoit (Fire Department), Robert Benoit (Director of Planning, Zoning and Codes), Gerald Boudreaux (Director of Parks & Recreation), Terry Huval (Utilities Director), Tim Breaux (Director of Community Development), John Raines (Public Works Director), Steve Dupuis (Legal Counsel), Tony Tramel (Director of Transportation)

COMMENCEMENT

(TAPE 1)(SIDE A)(000) AGENDA ITEM NO. 1: Call to order.

Chair Louis C. Benjamin, Jr. called the Regular Council Meeting of August 27, 2002 to order.

(TAPE 1)(SIDE A)(001) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

The invocation and Pledge of Allegiance was recited at the Special Lafayette City-Parish Council Meeting of this date.

(TAPE 1)(SIDE A)(396) A motion was offered by Mouton, seconded by Castille to recess the Regular Meeting in order to finish the 5:00 p.m. Special Meeting, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved

(TAPE 3)(SIDE A)(660) A motion was offered by Broussard, seconded by Stevenson to reconvene the Regular Council Meeting and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved

(TAPE 3)(SIDE A)(672) AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

No report was given.

ORDINANCES FOR FINAL ADOPTION

(TAPE 3)(SIDE A)(680) AGENDA ITEM NO. 4: O-188-2002 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify a portion of Percy Guidry Investments, Inc., Case No. Z2002-014 Percy Guidry Investments Property Rezoning, located generally east of Johnston Street, south of Bellevue Plantation Road, and north of Camino Real Road, from B-T (Transitional Business) to B-G (General Business), motion to adopt as amended by Menard, seconded by Castille.

The Clerk reminded the Chair that an amendment for this ordinance was submitted by the PZC Director. The maker and the second accepted the amendment.

Eleanor Lilly, Zoning Manager, gave a presentation on the staff’s and Planning Commission’s recommendations. Lilly explained that the Guidry family is requesting the change to allow them to seek other tenants, which is difficult to obtain through a B-T zoning. Robert Benoit, PZC Director, concurred with their recommendations to rezone from B-T to B-G.

Benoit added that this rezoning is only going to affect the front portion of this complex. The back portion occupied by Guidry Hearth and Patio will remain B-T which will create a buffer between the front section and the existing neighborhood.

Stevenson stated that a petition was received from the area residents with over 275 signatures against the rezoning. He added that zoning is there to protect the people. The zoning was B-T when the Guidrys bought the property, they knew it was B-T and this zoning is very liberal already. He urged the Council to defeat the ordinance.

The following individuals signed in, in opposition, and did not wish to speak:

- | | |
|-----------------|-----------------|
| Debra Broussard | Phil Broussard |
| Nancy Romero | Jeni Johnson |
| Ross Johnson | Kenneth Hopkins |
| Sylvia Hopkins | Monica Boutte |
| Jennifer Wadell | Debra LeBlanc |
| Kay LaCoste | Neil Mathews |
| Skip Perry | S. A. Stoutes |
| Stephen Jones | Michael Smith |
| Jerry Romero | Pete Vaccarella |
| Sabul Landry | Joyce Payne |

The following individuals were recognized:

Keith Guidry, representative of Percy Guidry Investments, explained that when the property was purchased approximately 2 years ago, it met all the requirements for their own needs. In those 2 years there have been several interested in the remaining buildings, but in talking with realtors, because of the current zoning, their businesses would not be allowed. He felt that under the B-G zoning businesses, such as gardening and paint stores, would enhance their business.

Ray Bergeron, Lafayette Realty, stated that inquiries were coming in basically from large retail. He added that by granting the B-G zoning it would allow for them to compete with other major arterial streets in Lafayette. By bringing in a major tenant, something that would complement Percy Guidry Hearth and Patio, it would enhance the neighborhood and create activity.

Yolanda LeBlanc, 607 Bellevue Plantation Road, urged the Council to defeat the rezoning of the Percy Guidry property from B-T to B-G. She contended that Mr. Guidry knew what the property was zoned when he purchased it.

Dallas Hains, 210 Pontalba Drive, thanked the Council for the opportunity to speak, asked to go on record as being opposed to the rezoning and stated that the residents hold nothing personal against Percy Guidry. He stated that in 1995, the Zoning Commission allowed a request to rezone property in front of Oak Trace Subdivision from B-T to B-G to come before the Council. After hearing the wishes of the residents, the Council denied the request. He then presented a petition with over 285 signatures in opposition to this request.

Donald Mills, 207 Bellevue Plantation Road, urged defeat of the ordinance.

Denise Womack, Zoning Coordinator, explained that the difference in the original ordinance and the amended ordinance is that it clearly stated the limits of the proposed rezoning.

After a lengthy Council discussion and hearing from the area residents, an amendment was offered by Broussard, seconded by Menard, to approve the *conditional zoning to B-G provided a*

restriction is placed on the property, in perpetuity, as long as the owner seeks to maintain that zoning classification which would prohibit pawn shops, auto/truck sales, mobile home park, motorcycle sales/service, trailer sales, travel/trailer park, drive-in establishments, automobile repairs, off-site signs, lounge/bar and liquor sales of any sort other than package liquor, and the vote was as follows:

YEAS: Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: Badeaux, Stevenson

ABSENT: None

RECUSED: None

The amendment was approved.

The Chair then called for a vote on the ordinance, as amended, and the vote was as follows:

YEAS: Williams, Benjamin, Broussard,

NAYS: Badeaux, Castille, Trumps, Mouton, Stevenson, Menard

ABSENT: None

RECUSED: None

Motion failed.

(TAPE 4)(SIDE A)(406) AGENDA ITEM NO. 5: O-189-2002 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify certain properties south of Ambassador Caffery Parkway, Case No. Z2002-016 Home Furniture et al Property Rezoning, located generally south of Ambassador Caffery Parkway, east of Galbert Road, and north of Eraste Landry Road, from R-2 (Multi-Family Residential) to B-G (General Business), motion to adopt by Trumps, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

RECUSED: None

The motion was unanimously approved.

Lilly explained that this is Home Furniture, et al property rezoning. It is approximately 18 acres at the 1300 block of Ambassador Caffery. The request is for R-2, which is a multi-family residential (apartments) to B-G (General Business). This property was annexed in 1976 and the R-2 was basically assigned as sort of a holding pattern because this property was vacant and still remains vacant. PZC recommended approval.

REPORTS AND/OR DISCUSSION ITEMS

Discussion

(TAPE 4)(SIDE A)(496) AGENDA ITEM NO. 6: Status of herbicide spraying as it pertains to drainage.

Raines reported that the contractor has completed Section 7 and Section 8 is currently ongoing. The contractor is running behind schedule due to the rain, and is anticipating that he will complete the second spraying cycle by the end of October. Broussard expressed concern that the 3 cycles called for in the contract were not getting done. Tall grass is causing problems with the drainage and he felt something was wrong when 3 cycles of spraying can not be done two years in a row. He suggested that there may be a problem with the contractor. Raines rebutted that the past two years have been extremely rainy seasons causing spraying operations to halt or to go out and spray the same areas again.

(TAPE 4)(SIDE A)(673) AGENDA ITEM NO. 7: Status of the removal of the tree stump by Lamar Advertising.

Williams reported that this issue has been addressed by Lamar Advertising.

(TAPE 4)(SIDE A)(683) AGENDA ITEM NO. 8: Status of junked vehicles procedures.

John Mouton, Asst. City-Parish Attorney, reported that a proposed amendment has been introduced which will remove junked vehicles after fifteen (15) days notice. The requirement of expired license plate or expired inspection sticker has been removed. If the vehicle qualifies, by virtue of condition, as being a junked vehicle, a notice can be placed on the vehicle. If the vehicle is not taken care of in fifteen (15) days, LCG has the right to remove it. Negotiations with a towing company are underway for a contract to have them tow the vehicle away for its salvage

value and not cost LCG anything. Williams stated he would be offering an amendment, at final adoption, which will address, what seems to be, a non-responsive Environmental Quality Division.

(TAPE 4)(SIDE B)(026) AGENDA ITEM NO. 9: Police Department pertaining to Simcoe Street, the Block and the Strip.

Williams began by thanking Chief Boudreaux for his commitment to address the rotating system as it related to Simcoe St., the Block and the Strip. Lt. Lowe stated that due to the amount of citizen complaints received by the Police Department regarding traffic and loud music coming from vehicles, etc., barricades were placed in strategic places, especially along McKinley. The Police Department is working towards consistency in placement of the barricades. There is a plan and a plat with the location of the barricades and that is accomplished nearly 100% of the time on all shifts. These areas are barricaded almost every Saturday night due to the amount of pedestrians, the amount of traffic, etc. Regarding the Block area, Captain Alfred stated that drug operations will start soon and added patrols have started from 10:00 p.m. to 5:00 a.m. to address those problems. Also, improved lighting will be addressed. When special events occur the officers meet with the establishment owners and they, along with the residents, are aware of what's going on.

Trumps inquired as to a situation at the Strip this past weekend which was described to him as a "near riot" situation. Lt. Lowe stated he was off duty but would look into it for Mr. Trumps. Castille explained that he was on a "ride along" that evening in that area and did not see a disturbance. He felt the activity was patrol officers trying to get the young people off the street and into an establishment that did not serve alcohol. He commended the officers for their work, especially in this area.

Lt. Lowe then stated that he had just spoken to another officer, who was at the Strip Saturday night, and he confirmed what Mr. Castille was saying.

The following individuals were recognized:

Dot Hubbard asked for more barricades and less noise.

Patrick Brasseaux commended the Police Department for what they've been able to achieve in the area. He complained that he is still picking up trash from the people who frequent these establishments and the windows still rattle from the boom boxes. He suggested the Council support the police officers by giving them raises in order to get more officers on the streets.

Bobby Silor, owner of the Keg, felt the barricades were a great idea and has helped the neighbors. He recommended that the barricades be put up consistently every Wednesday, Friday and Saturday night.

(TAPE 4)(SIDE B)(373) AGENDA ITEM NO. 10: Update on liquor ordinance amendments.

Steve Dupuis, City-Parish Attorney, reported that what's coming before the Council is a comprehensive ordinance, basically a mini-code within a code. A meeting is scheduled for August 28, 2002 to finalize the ordinance. Dupuis recommended that once the ordinance is introduced, the Council hold a briefing, especially since the ordinance is so comprehensive.

(TAPE 4)(SIDE B)(392) AGENDA ITEM NO. 11: Old Southern Pacific Railroad Depot & Multi-modal facility.

Tony Tramel reported that the Multi-modal facility has seven (7) specific elements of the project, two (2) of which are currently under construction and almost complete. The Depot is about 97% complete and the site amenities completion date is within the next 90 days. The demolition of the southern half of Postal Square and 37 feet of the back of Postal Square (where the new Post Office will go) will go out to bid in October, with construction to begin in December of this year. About one year later, the Transit Terminal will be at that facility. The local match monies are still short; however, plans are being made to identify what those total dollars are and devise a financial plan on how to finish the project.

The following individuals were recognized:

Patrick Brasseaux passed.

Mary Ann Ficaro asked if the Para-Transit vehicles and Mr. Tramel's office were going to be located at the Multi-Modal Facility. Tramel explained that 1) the Multi-Modal design is to put all transportation related facilities in one location, i.e. Amtrak, transit service, Greyhound bus, taxi service; and 2) Para-transit is a service oriented operation so where that company decides to operate from is their choice. At this time there are no plans to locate them in the Multi-modal Facility.

(TAPE 4)(SIDE B)(498) AGENDA ITEM NO. 12: Update on Hunter's Ridge Drainage.

Menard began by giving the background on this issue and stated that a Request for Service was made followed by several memos asking for information relative to this issue. No response was sent. He expressed his frustration, along with that of his constituents, on the one response they did get, "We're backlogged, we have a lot of requests, so we'll get to it whenever we can get it". He felt this was not the way to communicate or conduct business.

Raines explained the following points, 1) the outfall is going to be sprayed in September; 2) the outfall itself needs to be cleaned and improved to some degree; however, not enough easements have been obtained from property owners so the main channel is being cleaned to make the water flow; 3) preliminary work is being done to put a project together in this area, even though the Council has a moratorium on new projects. It has been assigned to the CID Division; and 4) in the subdivision itself, several ditches have been piped in and it is feared that Public Works will find that pipes are in reverse grade, undersized, incorrectly installed, etc.

Menard requested that the minutes be transcribed and sent to the residents for their information, and that the following letter be read for the record:

"Dear Mr. Menard: Thank you for your recent response to our flooding problem here at Hunter's Ridge Subdivision. Although I will be unable to attend the meeting on August 27 due to that date and time, I would appreciate this letter being read as my voiced concern if possible during that meeting. The residents on the front street, Chemin Metairie and those living on Rue Canard have reason for major concern. We are the ones who have received water in our homes or nearly so over the past few years. The ditch at the end of the cul de sac on Rue Canard was worked on several weeks ago. A crew came out and vacuumed some of the drainage basins in our subdivision. Also they dug out that ditch about 10 feet and cleared debris and mud from the pipes. So far that is all that has been done. The ditches along Chemin Metairie are overgrown with vegetation especially along and near the coulee. I've been told by eye witnesses that along the same coulee, near Fortune Road, a screen was seen that had collected trash and other types of debris which is surely causing more obstruction to the water flow. By definition, a coulee is considered a deep ravine. This particular coulee is nothing but a shallow ditch which has to contain many subdivisions water runoffs especially since new subdivisions are being built here in Youngsville at a very rapid rate. That situation alone dramatically overloads that tiny ditch when the rainfall comes. The coulee recently went over its banks during an afternoon thunderstorm. You can just imagine our fear and stress when heavier rain events are predicted. This coulee should truly be made into a coulee by having it deepened and widened so it can hold more of the runoff. Also I've read articles stating that Youngsville plans to dig more retention ponds so badly needed. But we just don't have years to wait for action. Please let those who can help hear our voices. Your attention and response to this situation has meant more than you could know to those of us living under flood stress. Thank you so very much. We will anxiously await another response after the discussion on August 27. Hopefully, there will be a solution soon. Sincerely, Teresa Wade."

(TAPE 4)(SIDE B)(730) AGENDA ITEM NO. 13: Recognize Jason Moresi regarding drainage at Maxie's Mobile Valley (Fortune Coulee/Cypress Bayou).

Mr. Moresi gave a slide presentation on the condition of the surrounding drainage and the flooding at Maxie's Mobile Valley. Included were slides of the various channels and laterals with overgrown or uprooted trees, erosion problems, trash blocking bridge openings and aerials of the area.

The following individuals were recognized:

Charles Chapman passed.

Bill Fontenot, LA DOTD, stated that in approximately 4 to 5 weeks he will be back to present his final analysis to the Council. He will include what can be done, if anything, and how much it will cost.

Upon questioning by Mouton, Bill Campbell explained that any drainage work upstream of Hwy 90 is not going to be adequate until something is done with the box culvert. In the interim, Public Works is scheduling engineering work, surveying and engineering of the channel downstream toward Shenandoah Subdivision. He did not know when this would take place because of the backlog of the survey crew.

(TAPE 5)(SIDE A)(435) AGENDA ITEM NO. 14: Update on drainage in Flanders Gardens Subdivision

Menard asked for a status on this request. Campbell stated that to date they have completed the survey work across the downstream area from Flanders Gardens, which is across the Decou property and there is no blockage in that area. But there are some sections in the roadside ditches within Flanders Gardens that need some improvements. Mrs. Decou is willing to let Public Works clean the ditch on her property but does not want a “Vermilion River-type” channel.

Menard then stated that the roads are bad in Flanders Gardens and Public Works is getting ready to work on them. He asked if it would not be better to address the drainage before the new roads go in.

The following individuals signed in but did not wish to speak:

Perry St. Marie	Alton LeBlanc
Diane Johnson	Deborah Olivier
Tommy Harrington	Daniel Bloomer

The following individuals were recognized:

Chip Miller stated that new subdivisions (i.e. South Lake Plantation Subdivision) are going on all around their 23 year old subdivision and having to drain through Flanders Gardens. When the water reaches the roadbed it piles up and forms a dam because the roadbed is too high. He suggested that bigger culverts be installed.

Upon questioning by Mouton, Raines explained that South Lake Plantation Subdivision was in the Town of Youngsville. The Lafayette City-Parish Act of Acceptance never took place because it was annexed into the Town of Youngsville.

Mr. Miller thanked Mr. Menard for his help and added that this is, by far, the best response they have received as yet.

Jean Billeaudeaux stated that her home has flooded twice and it’s a threat every time it rains. Something needs to be done now.

COMMENTS FROM THE PUBLIC

(TAPE 5)(SIDE A)(370) AGENDA ITEM NO. 15: Comments from the public on other matters.

Mary Ann Ficaro asked the following: 1) why has Tony Tramel, Director of Traffic & Transportation, not given a 30-day report on the late night bus service initiative, and 2) why is Para-Transit not running parallel with the LTS service (they will not pick up between 6:00 p.m. and 7:00 p.m.)

Tramel responded that he was unaware of the delay in Para-Transit Service between 6:00 p.m. and 7:00 p.m. He shared Ms. Ficaro’s concern. Regarding the 30-day report, Tramel explained that the first written report was submitted to the Council last week regarding the overall transit service. The Para-Transit report is now on its way to the Council office. Trumps suggested that Tramel’s next report be a verbal presentation to the Council.

(TAPE 5)(SIDE B)() **Yolanda LeBlanc** explained that she had addressed the LPUA several weeks ago concerning a sewerage project along Bellevue Plantation Road, which is being

blocked by S.L.E.M.C.O. S.L.E.M.C.O refused to grant a right of way for the sewerage project even though their lines run overhead. She urged Council support of expropriation to resolve this issue. She then submitted a list of questions for the Council to the Clerk.

Huval informed the Council that he had spoken to a SLEMCO representative, this date, and was told there was interest in having dialog with LCG; however, the request to the Public Service Commission for dialog with SLEMCO would have to be made by the Lafayette City-Parish Attorney or the CAO. In the meantime, the expropriation process has begun.

Patrick Brasseaux stated that at the last Council meeting he raised questions that he has not received answers to. He also wanted to know why fees were not being assessed for violation of the Noise Ordinance. He felt that once the violation gets to the Lafayette City-Parish Attorney, it stops. Several thousands of dollars of revenue are not being collected.

The Clerk informed Brasseaux that he did call her after the last meeting and at that time she told him to come in and fill out the form in the office requesting specific information, the information could be researched and provided. As of this date, that has not been done.

Andy Hebert stated that he felt the Council was treating him and the City taxpayers unjustly. He reasoned that the ordinances do not specify if the funds are City money or Parish money. He further stated that he has asked the District Attorney to investigate the violation of the Open Meetings law and to void all ordinances that are passed, including the property tax roll-up, because his due rights were denied for equal voice and equal representation.

ADJOURNMENT

(TAPE 5)(SIDE B)() There being no further business to come before the Council, Vice Chair Trumps declared the Regular Council Meeting adjourned.

NORMA A. DUGAS
CLERK OF THE COUNCIL